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LAW OF THE SEA

Letter dated 25 August 1995 from the Chargé d'affaires a.i.
of the Permanent Mission of Yugoslavia to the United Nations
addressed to the Secretary-General

I have the honour to transmit herewith the statement of the Federal Ministry of Foreign Affairs following the decision to prevent the Federal Republic of Yugoslavia from participating in the work of the first session of the Assembly of the International Seabed Authority (see annex).

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly under item 39 of the provisional agenda.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

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ANNEX

Statement dated 25 August 1995 from the Federal Ministry of Foreign Affairs following the decision to prevent the Federal Republic of Yugoslavia from participating in the work of the Assembly of the International Seabed Authority

Following the decision of the Assembly of the International Seabed Authority to prevent the Federal Republic of Yugoslavia from participating in the first session of the Assembly, the Federal Ministry protests most strongly and points out that the decision represents a flagrant violation of the norms of international law. The decision to prevent the Federal Republic of Yugoslavia from participating has no legal basis in the United Nations Convention on the Law of the Sea of 1982 or in any other rule of international law and is in outright contravention of the opinion of the Legal Counsel of the United Nations that "the status of Yugoslavia as a party to the treaties is not affected by the adoption of General Assembly resolution 47/1".

Proceeding from the principled and consistent position that the adoption and implementation of the United Nations Convention on the Law of the Sea is an important contribution to the promotion of international cooperation in this field, Yugoslavia has ratified the Convention and, as a State party, has implemented and supported the provisions of the Convention in good faith. The Federal Republic of Yugoslavia has also acceded to the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea and fulfilled all the conditions for equitable participation in the work of the International Seabed Authority, its organs and, in particular, its Assembly.

The decision to prevent the Federal Republic of Yugoslavia from participating in the work of the Assembly, taken under the pressure of a small group of countries, is contrary to the basic principles on which the International Seabed Authority was established and organized. Participation of all State parties in the work of the Assembly is an essential precondition for the normal and legal functioning of the International Seabed Authority.

The Federal Ministry of Foreign Affairs wishes in particular to point out that this legally ungrounded and politically motivated decision constitutes a dangerous precedent at the very beginning of the work of the International Seabed Authority and that it threatens its role and reputation as a universal and independent forum of international cooperation in this field.